

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

DANIEL E. HARP, JR., :  
Plaintiff, : Civil Action No. 09-4832 (JBS)  
: :  
v. : ORDER  
: :  
GEORGE W. HAYMAN, et al., :  
: :  
Defendants. : :

For the reasons expressed in the Court's Opinion filed  
herewith,

It is on this 18<sup>th</sup> day of June, 2010,  
ORDERED that, pursuant to 28 U.S.C. § 1915(a) and (b), the  
application by Plaintiff, Daniel E. Harp, Jr., to proceed in  
forma pauperis is hereby GRANTED; and it is further  
ORDERED that the Clerk of the Court is directed to file the  
Complaint without prepayment of the filing fee; and it is further  
ORDERED that, pursuant to 28 U.S.C. § 1915(b), the Clerk  
shall serve a copy of this Order by regular mail on the Attorney  
General of the State of New Jersey and on the Warden at the South  
Woods State Prison; and it is further  
ORDERED that Plaintiff is assessed a filing fee of \$350.00  
which shall be deducted from his prison account pursuant to 28  
U.S.C. § 1915(b)(2) in the manner set forth below, regardless of  
the outcome of the litigation; and it is further

ORDERED that, pursuant to 28 U.S.C. § 1915(b)(2), until the \$350.00 fee is paid, each month that the amount in Plaintiff's prison account exceeds \$10.00, the agency having custody of Plaintiff shall assess, deduct from his account, and forward to the Clerk payments equal to 20% of the preceding month's income credited to Plaintiff's prison account, with each payment referencing the civil docket number of this action; and it is further

ORDERED that the Complaint is DISMISSED WITHOUT PREJUDICE, in its entirety, pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1), for failure to state a claim at this time.

Jerome B. Simandle  
JEROME B. SIMANDLE  
United States District Judge